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surface roughness (Ra) of the magnetic recording medium is at most 50Å, and the product ( $\mu_{\max} \times t$ ) of the maximum permeability ( $\mu_{\max}$ ) and the thickness (t) of the soft magnetic layer is at least 1,000,000 (H·Å/m).

#### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1 and 3-14 are presently active in this case. The present amendment amends Claim 1 and cancels Claim 2. The above amendment shows the amended claims in clean form, the attachment shows the marked-up copy for the Examiner's convenience.

In the outstanding Office Action, Claims 2-9 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1, 10-11, and 13 were rejected under 35 U.S.C. § 102(e) as anticipated by Hokkyo (U.S. 6,387,483) in combination with Konica (JP 0521714) and Ikeda (U.S. 3,863,268). Claims 1-7, 9-10, and 12-13 are rejected under 35 U.S.C. § 103(a) as unpatentable over Sugita (U.S. 4,687,712) in view of Hokkyo. Claim 8 was rejected under 35 U.S.C. § 103(a) as unpatentable over Sugita as modified by Hokkyo and further in view of Lal (U.S. 5,834,111). Claim 14 was rejected under 35 U.S.C. § 103(a) as unpatentable over Sugita as modified by Hokkyo and further in view of Kanbe (U.S. 6,221,508).

In response to the rejection under 35 U.S.C. § 112, second paragraph, Claim 1 is amended to correct the noted informalities. In view of amended Claim 1, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone

the undersigned who will be happy to work with the Examiner in a joint effort to drive mutually acceptable language.

In response to the rejections of Claims 1-14 under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a), Applicants respectfully request reconsideration of these rejections and traverse the rejections as discussed next.

Applicants have incorporated similar features as in canceled Claim 2 of "at least two soft magnetic layers divided by a separate layer provided therebetween" into Claim 1 to further define over the cited references.

The Official Action notes that original Claim 2 is unpatentable in view of Hokkyo in combination with Sugita.<sup>2</sup> The Sugita reference discloses forming a plurality of soft magnetic layers (2, 3 or 4 layers). However, it is evident from the description of Sugita that the Sugita invention relates to a magnetic recording medium for a magnetic tape or flexible disk.<sup>3</sup> The claims as currently written, on the other hand, relate to a magnetic recording medium for a hard disk drive including a combination of a magnetic recording and a magnetic head. In light of this claimed difference, it is believed that the claims define over Sugita in combination with Hokkyo.

Further, the Sugita patent describes an objective to improve noise properties of a magnetic recording medium by laminating soft magnetic layers. The present application discloses improved noise properties, but as described at page 8, line 17, to page 9, line 11, of the specification, an object of the present invention is to *enhance surface smoothness of a soft magnetic layer*, thereby improving noise properties of the magnetic recording medium. The Sugita reference does not teach or suggest any

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<sup>2</sup> Office Action of August 1, 2002, paragraph 8.

<sup>3</sup> See Sugita at column 1, lines 1-40.

motive to enhance the surface smoothness of a magnetic recording medium.

Therefore, the present invention as amended is not taught or suggested by Sugita in combination with Hokkyo.

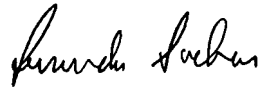
In light of the above, Applicants respectfully submit that Claims 1 and 3-14 are patentable over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A notice of allowance for Claims 1- and 3-14 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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IN THE CLAIMS

Please Amend Claim 1 as shown below.

--1. (Amended) A magnetic recording medium comprising a non-magnetic substrate and at least one magnetic recording layer formed on the substrate via at least [one] two soft magnetic layers divided by a separate layer therebetween, wherein the surface roughness ( $R_a$ ) of the magnetic recording medium is at most  $50\text{\AA}$ , and the product ( $\mu_{\text{max}} \times t$ ) of the maximum permeability ( $\mu_{\text{max}}$ ) and the thickness ( $t$ ) of the soft magnetic layer is at least  $1,000,000 \text{ (H}\cdot\text{\AA/m)}$ .

2. (Cancelled).--